

DIST/OFFICE	DOCKET		FILING DATE			J	N/S	O	R	R 23	DEMAND		JUDGE NUMBER	JURY DEM.	DOCKET	
	YR.	NUMBER	MO.	DAY	YEAR						\$	15			OTHER	YR.
1085/4	76	0228	5	26	76	3	442	1					8510		76	0228-C

PLAINTIFFS

FRANK HENDRICKSON, CELESTE
WAGENBLAST, and DANIEL P. COX

DEFENDANTS

INDEPENDENT SCHOOL DISTRICT
NO. 9, TULSA COUNTY, OKLAHOMA,
THE BOARD OF EDUCATION OF
INDEPENDENT SCHOOL DISTRICT
NO. 9, UNION PUBLIC SCHOOLS,
WESLEY JARMAN, THOMAS E. FRY,
JAMES R. DARNABY, DARWIN P.
MAXEY, LARRY R. HENDERSON,
And WILLIAM P. SCOTT

CAUSE

Unlawful breach of school employment contract and the unlawful failure on the part of the school board to renew such contract.

ATTORNEYS

Frank Gregory
Bill V. Wilkinson
1640 South Boston
Tulsa, Oklahoma 74119
587-3161

David L. Fist
J. Douglas Mann
525 South Main, Suite 300
Tulsa, OK 74103
585-9211

☐ CHECK
HERE
IF CASE WAS
FILED IN
FORMA
PAUPERIS

FILING FEES PAID

DATE	RECEIPT NUMBER	C.D. NUMBER

STATISTICAL CARDS

CARD DATE MAILED
JS-5 6-1-76
JS-6 7-1-77

DATE	NR.	PROCEEDINGS
1976		
5-26	1.	Complaint, filed. Summons issued. ph
5-26	2.	Appl. for appointment for special officer to serve summons w/order appointing V. J. Westhoff to serve summons. (HDC-J)ph cps mld
6-15	3.	Appl. of defts. for ext. of time to resp. to pltfs' complaint, filed. ph
6-15	4.	Order, filed, granting defts. until 6-30-76 to ans. (JCS-CC)ph cps mld
6-30	5.	Defts' motion to dismiss, filed. ph
6-30	6.	Brief in support of defts' motion to dismiss, filed. ph
7-1	MO:	It is ordered by the Court that the pltf. file a resp brief within 10 days to the Defts' Motion to dismiss. (HDC-J)ph ltr mld
7-8	7.	Pltf's appl. for enlargement of time to file resp. to defts' mo/dismiss, filed. ph <i>otg</i>
7-12	8.	Order, filed, that pltfs. be granted until 8-2-76 to resp. w/their brief in oppos. to defts' mo/dismiss. (HDC-J)ph cps mld
7-29	9.	Pltfs' motion for enlargement of time to file brief in oppos. to defts' mo/dismiss, filed. ph <i>otg</i>
7-29	10.	Order, filed, that pltfs. are granted until 8-23-76 to file resp. in oppos. to defts. mo/dismiss. (HDC-J)ph cps mld
8-23	11.	Pltf's appl. for ext of time to file brief in oppos. to defts' mo/dismiss, filed. ph <i>otg</i>
8-23	12.	Order, filed, that pltfs. are given until 8-27-76 to file brief in oppos. to defts' motion to dismiss. (HDC-J)ph cps mld
8-27	13.	Appl. for enlargment of time by pltfs. for addit. time to file their brief in oppos. to defts' motion to dismiss, filed. ph <i>otg</i>
8-27	14.	Order, filed, granting pltf. to 9/3/76 to file brief in opp. to def. mo/dismiss. (HDC-J)rm-copies mailed
9-3	15.	Pltfs' answer brief, filed. ph
9-10	16.	Pltfs' appl. for oral argument, filed. ph <i>o a p a b y g g t u l y</i>
9-22	MO:	Case set for hearing on defts' mo/dismiss 10-8-76 at 1:00 P.M. (HDC-J)hm (notice mailed)
9-27	MO:	Case is stricken from docket of 10-8-76 and reset for hearing on the defts' motion to dismiss on Friday, November 19, 1976, at 9:30 am (HDC-J)ph notices mld.
11-16	MO:	Hearing on defts' motion to dismiss will be at 9:00 a.m. instead of 9:30 a.m. on 11-19-76. (HDC-J)ph parties called
11-18	MO:	Case stricken from hearing on defts' mo/dismiss on 11-19-76, to be reset. (HDC-J)hm
11-22	MO:	Case set for hrg. on defts' mo/dismiss for 1-6-77 at 9:00 a.m. (HDC-J)ph cps mld
1-4-77	17.	Reply brief of defts. in support of mo/dismiss, filed. hm
1-5	MO:	Case stricken from hearing on defts' mo/dismiss on 1-6-77 at request of pltf., to be reset. (HDC-J)hm (parties notified by phone)
1-6	MO:	Case set for hearing on defts' mo/dismiss 2-18-77 at 2:00 p.m. (HDC-J)hm (notices mailed)
1-10	18.	Affidavit of Tom Summers in oppos. to defts' mo/dismiss, filed. ph
2-18	MO:	Hearing held on defts' mo/dismiss. Statements made. Court makes findings & rules that issues should be determined by State Courts & states that absentiism doctrine will be applied in this case. Parties given 10 days to advise Court which method they would prefer--whether mo/dismiss should be sustained or whether the question should be certified to the State Supreme Court. (HDC-J)hm

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-228-C</u>
Hendrickson		Ind. School District No. 9	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1977 2-25	18	Pltfs appl. for enlarg. of time to file brief on motion to dismiss. fld. O to J. ho	
2-25	19.	Order, filed, granting parties to 3/15/77 to file simultaneous briefs re mo/dismiss. (HDC-J)rm-copies mailed	
3-15	20.	Brief of pltfs., filed. rm	
3-15	21.	Memo brief of defs., filed. rm	
5-16	--	Letter from David L. Fist, deft. atty., to Judge Cook stating that they concede that the School Dist. and School Board are not immune from suit in the fed. court by virtue of the Eleventh Amendment, filed. ph & entered.	
6-30	22	Memorandum opinion and order, fld/ dismissing this action w/out prejudice. (HDC-J) cps mld. ho	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES
-----------	-----------	---

DATE	NR.	PROCEEDINGS
------	-----	-------------

[illegible]